

10/27/01
J 1064 U.S. PTO

06-29-01

A/plant

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PTO/SB/19 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PLANT PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

First Named Inventor

Title

Express Mail Label No.

Roger D. Way

'Newfane Cherry'

EF 17036 9651 US

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

APPLICATION ELEMENTS

See MPEP chapters 600 & 1600 concerning plant patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status. See 37 CFR 1.27.
3. Specification [Total Pages **9**]
*(2 copies required - 37 CFR 1.163(b)
(preferred arrangement set forth below)*
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Latin name of genus and species
 - Variety denomination
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Botanical Description
 - Claim (only one (1) permitted MPEP 1605)
 - Abstract of the Disclosure
4. Color drawing(s) [Total Sheets **4**]
(2 copies required - 37 CFR 1.165(b))
5. Oath or Declaration [Total Pages **3**]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76.

ACCOMPANYING APPLICATION PARTS

7. Assignment Papers (cover sheet & document(s))
8. 37 CFR 3.73(b)-Statement Power of Attorney
9. English Translation Document (if applicable)
10. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
11. Preliminary Amendment
12. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
14. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
15. Other:

Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information: Examiner _____ Group Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS Customer Number or Bar Code label

(Insert Customer No. or Attach bar code label here)

or Correspondence address below

Name	International Plant Management, Inc.				
Address	55826 60th Avenue				
City	Lawrence	State	MI	Zip Code	49064
COUNTRY	USA	Telephone	800-424-2765	Fax	616-674-3758

Name (Print/Type)	Wanda Heuser Gale	Registration No. (Attorney/Agent)
Signature	<i>(Handwritten Signature)</i>	
	Date	6/17/01

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09/894352
06/27/01

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)
285.00

Complete if Known

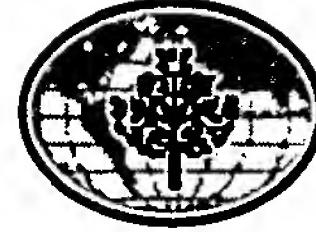
Application Number	
Filing Date	
First Named Inventor	Roger D. Way
Examiner Name	
Group Art Unit	
Attorney Docket No.	

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																																												
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <input type="text"/></p> <p>Deposit Account Name <input type="text"/></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td colspan="2">Surcharge - late filing fee or oath</td><td><input type="text"/></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td colspan="2">Surcharge - late provisional filing fee or cover sheet</td><td><input type="text"/></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td colspan="2">Non-English specification</td><td><input type="text"/></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td colspan="2">For filing a request for ex parte reexamination</td><td><input type="text"/></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td colspan="2">Requesting publication of SIR prior to Examiner action</td><td><input type="text"/></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td colspan="2">Requesting publication of SIR after Examiner action</td><td><input type="text"/></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td colspan="2">Extension for reply within first month</td><td><input type="text"/></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td colspan="2">Extension for reply within second month</td><td><input type="text"/></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td colspan="2">Extension for reply within third month</td><td><input type="text"/></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td colspan="2">Extension for reply within fourth month</td><td><input type="text"/></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td colspan="2">Extension for reply within fifth month</td><td><input type="text"/></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td colspan="2">Notice of Appeal</td><td><input type="text"/></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td colspan="2">Filing a brief in support of an appeal</td><td><input type="text"/></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td colspan="2">Request for oral hearing</td><td><input type="text"/></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td colspan="2">Petition to institute a public use proceeding</td><td><input type="text"/></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td colspan="2">Petition to revive - unavoidable</td><td><input type="text"/></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td colspan="2">Petition to revive - unintentional</td><td><input type="text"/></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td colspan="2">Utility issue fee (or reissue)</td><td><input type="text"/></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td colspan="2">Design issue fee</td><td><input type="text"/></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td colspan="2">Plant issue fee</td><td><input type="text"/></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td colspan="2">Petitions to the Commissioner</td><td><input type="text"/></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td colspan="2">Processing fee under 37 CFR 1.17(q)</td><td><input type="text"/></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td colspan="2">Submission of Information Disclosure Stmt</td><td><input type="text"/></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td colspan="2">Recording each patent assignment per property (times number of properties)</td><td><input type="text"/></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td colspan="2">Filing a submission after final rejection (37 CFR § 1.129(a))</td><td><input type="text"/></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td colspan="2">For each additional invention to be examined (37 CFR § 1.129(b))</td><td><input type="text"/></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td colspan="2">Request for Continued Examination (RCE)</td><td><input type="text"/></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td colspan="2">Request for expedited examination of a design application</td><td><input type="text"/></td></tr> <tr><td colspan="6">Other fee (specify) _____</td><td><input type="text"/></td></tr> <tr> <td colspan="4">*or number previously paid, if greater; 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Name (Print/Type)	<i>Wanda Heuser Gale</i>		Registration No. (Attorney/Agent)			Telephone																																																																																																																																																																																																																										
Signature	<i>Wanda Heuser</i>					Date	<i>06/27/01</i>																																																																																																																																																																																																																									

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**INTERNATIONAL
PLANT
MANAGEMENT, INC.**



June 27, 2001

Honorable Commissioner for Patents and Trademarks
Box: Patent Application
Washington, D.C. 22031

Dear Sir:

Enclosed please find the following plant patent application papers:

Applicant # 1, Name: Roger D. Way.

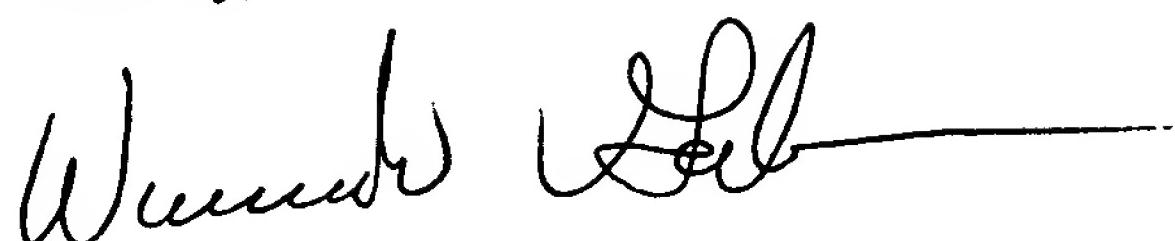
Title: 'Newfane Cherry' Cultivar

- Specification, Claims and abstract: Number of sheets: 9
- Drawings, Number of sheets: 2
- Declaration
- Assignment enclosed with cover sheet and recordal fee; please record and return.
- Fee Transmittal Form
- Check for \$ 285.00 for
 - \$245.00 for filing fee
 - \$40.00 additional for Assignment
- Return Receipt Postcard address to Assignee

Please address all correspondence to:

Wanda Heuser Gale
International Plant Management
55826 60th Avenue
Lawrence, MI 49064
800-424-2765
Fax 616-674-3758

Sincerely,



Wanda Heuser Gale
International Plant Management

Express Mail Label #

EF 170369651 US

Date of Deposit: June 27, 2001

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Signed: 